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UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/824,964	04/15/2004	G. Ian Rowlandson	039199-9548-00

31058  
 MICHAEL BEST & FRIEDRICH LLP  
 100 EAST WISCONSIN AVENUE  
 MILWAUKEE, WI 53202-4108

Michael, Best & Friedrich LLP  
**RECEIVED**

AUG 23 2004

DOCKETING  
 MILWAUKEE, WI

CONFIRMATION NO. 7468

FORMALITIES LETTER



\*OC000000013589379\*

Date Mailed: 08/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

09/09/2004 FFANAEIA 00000008 502401 10824964

FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 DA

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.


### SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*



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Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Approved for use through 9/30/98  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SP-110 (10/01/97)		COMPLETE IF KNOWN		
<b>FEE TRANSMITTAL</b>		Application Number	10/824,964	
		Filing Date	04/15/2004	
		First Named Inventor	G. Ian Rowlandson	
		Group Art Unit		
		Examiner Name		
Total Amount of Payment (\$)		130.00	Attorney Docket Number	140822IT (5024-00138)
<b>METHOD OF PAYMENT (check one)</b>		<b>FEE CALCULATION (continued)</b>		
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <b>50-2401</b> Deposit Account Name <b>Andrus, Scales, Starke &amp; Sawall, LLP</b> <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Charge the Issue Fee set in 37 CFR 1.18 at the Mailing Of the Notice of Allowance, 37 CFR 1.311(b)		2. <b>Additional Fees</b> Large Entity    Small Entity Fee    Fee    Fee    Fee Code (\$)    Code (\$)    Fee Description    Fee Paid		
3. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other		105    130    205    65    Surcharge-late filing fee or oath <b>\$130</b> 127    50    227    25    Surcharge-late provisional filing fee or cover sheet		
<b>FEE CALCULATION (fees effective 10/01/97)</b>		139    130    139    130    Non-English specification		
1. <b>Filing Fee</b> Large Entity    Small Entity Fee    Fee    Fee    Fee Code (\$)    Code (\$)    Fee Description    Fee Paid		147    2,520    147    2,520    For filing a request for reexamination		
101    740    201    370    Utility filing fee		112    920*    112    920*    Requesting publication of SIR prior to Examiner action		
106    330    206    165    Design filing fee		113    1,840*    113    1,840*    Requesting publication of SIR after Examiner action		
107    480    207    240    Plant filing fee		115    110    215    55    Extension for response within first month		
108    760    208    380    Reissue filing fee		116    400    216    200    Extension for response within second month		
114    150    214    75    Provisional filing fee		117    950    217    475    Extension for response within third month		
SUBTOTAL (1) (\$)		118    1,510    218    755    Extension for response within fourth month		
0		128    2,060    228    1,030    Extension for response within fifth month		
2. <b>Claims</b> Extra    Fee from below    Fee Paid		119    310    219    155    Notice of appeal		
Total claims ____ - 20 = ____ X ____ = ____		120    310    220    155    Filing a brief in support of an appeal		
Independent ____ - 3 = ____ X ____ = ____		121    270    221    135    Request for oral hearing		
Claims		138    1,510    138    1,510    Petition to institute a public use proceeding		
Multiple Dependent ____ X ____ = ____		140    110    240    55    Petition to revive unavoidably abandoned application		
Claims		141    1,320    241    660    Petition to revive unintentionally abandoned application		
Large Entity    Small Entity    Fee		142    1,320    242    660    Utility issue fee (or reissue)		
Fee    Fee    Fee    Fee    Description		143    450    243    225    Design issue fee		
Code (\$)    Code (\$)    Fee Description    Fee Paid		144    670    244    335    Plant issue fee		
103    18    203    9    Claims in excess of 20		122    130    122    130    Petitions to the Commissioner		
102    78    202    39    Independent claims in excess of 3		123    50    123    50    Petitions related to provisional applications		
104    260    204    130    Multiple dependent claim		126    240    126    240    Submission of Information Disclosure Statement		
109    78    209    39    Reissue independent claims over original patent		581    40    581    40    Recording each patent assignment per property (times number of properties)		
110    19    210    9    Reissue claims in excess of 20 and over original patent		146    790    246    395    Filing a submission after final rejection (37 CFR 1.129(a))		
SUBTOTAL (2) (\$)		149    790    249    395    For each additional invention to be examined (37 CFR 1.129(b))		
0		Other fee (specify) _____		
		Other fee (specify) _____		
		SUBTOTAL (3) (\$)		
		130.00		
		*Reduced by Basic Filing Fee Paid		
<b>SUBMITTED BY</b>		<b>COMPLETE (if applicable)</b>		
Type or Printed name	Joseph D. Kuborn Andrus, Scales, Starke & Sawall, LLP	Registration Number	40,689	
Signature		Date	9/1/2004	
		Deposit Account User ID		



Please type a plus sign (+) inside this box [ + ]

Patent and Trademark Office: U.S. Department of Commerce

0001/RSO  
Rev. 10/95

U.S. Department of Commerce  
Patent and Trademark Office

Application Number	10/824,964
Filing Date	04/15/2004
First Named Inventor	G. Ian Rowlandson
Group Art Unit	
Examiner Name	
Attorney Docket Number	140822IT (5024-00138)

### TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of pages in this Submission

8

### ENCLOSURES (check all that apply)

- ☒ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Response
- ☐ After final
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement/PTO-1449
- ☐ Certified Copy of Priority Document(s)
- ☒ Response to Missing Parts/Incomplete Application
- ☐ Response to Missing Parts Under 37.1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Checklist and Accompanying Petition
- ☐ To Convert a Provisional Application
- ☐ Power of Attorney, Revocation, Change of Correspondence Address
- ☐ Terminal Disclaimer

- ☐ After Allowance Communication To Group
- ☐ Appeal Communication to Board Of Appeals and Interferences
- ☐ Appeal Communication to Group ( Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (Please identify below)

Return receipt postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Or Individual Name	Joseph D. Kuborn, Reg. No. 40,689 ANDRUS, SCEALES, STARKE & SAWALL, LLP 100 East Wisconsin Avenue, Suite 1100, Milwaukee, WI 53202
Signature	
Date	September 1, 2004

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231 on this date:

September 1, 2004

Typed or printed name	Barbara A. Johnson		
Signature		Date	9/1/2004

Appln. No. 10/824,964

Reply to Notice to File Missing Parts dated August 19, 2004

Submission of Declaration dated September 1, 2004



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Of: )  
)  
G. IAN ROWLANDSON ET AL )  
)  
Application No.: 10/824,964 )  
)  
Filed: 04/15/2004 )  
)  
Group Art Unit: )  
)  
Examiner: )  
)  
SYSTEM AND METHOD OF )  
CORRELATING IMPLANT AND NON- )  
IMPLANT DATA )

SUBMISSION OF DECLARATION

Mail Stop MISSING PARTS  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Responsive to the Notice to File Missing Parts of Nonprovisional Application,  
Filing Date Granted mailed August 19, 2004 enclosed are the following documents/items.

1. An executed declaration in this application executed by the inventors. The declaration includes the names and residences of the inventors. In accordance with the Commissioner's announcement in 1035 OG 3, the undersigned registered attorney states that Application Serial No. 10/824,964 is the application that the inventors executed by signing the attached declaration.

2. Please charge the surcharge of \$130.00 for late filing of the declaration to Deposit Account No. 50-2401. A duplicate copy of this submission is attached.

Appln. No. 10/824,964

Reply to Notice to File Missing Parts dated August 19, 2004

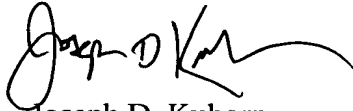
Submission of Declaration dated September 1, 2004

3. A copy of the Notice of August 19, 2004.

Issuance of a filing receipt and advancement of the application to examination is respectfully requested.

Respectfully submitted,

ANDRUS, SCEALES, STARKE & SAWALL, LLP

A handwritten signature in black ink, appearing to read 'Joseph D. Kuborn', with a stylized flourish extending to the right.

Joseph D. Kuborn

Reg. No. 40,689

Andrus, Sceales, Starke & Sawall  
100 East Wisconsin Avenue  
Milwaukee, Wisconsin 53202  
(414) 271-75920  
Attorney Docket No. 5024-00138